

PATENT  
bends2.d08

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of : Confirmation No. 3553  
Louis T. Klauder, Jr. : Group Art Unit 2128  
Application No. 10/506,708 : Examiner: Russell W. Frejd  
Filing Date: September 7, 2004 : (571) 272-3779  
For a Patent for a :  
METHOD FOR DESIGNING GENERALIZED :  
SPIRALS, BENDS, JOGS, AND WIGGLES :  
FOR RAILROAD TRACKS AND VEHICLE :  
GUIDEWAYS : February 1, 2007

REQUEST FOR REFUND

Mail Stop 16  
Director of the U.S. Patent  
and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Attention: Office of Finance  
Deposit Account Division

Sir:

This paper is being filed to request the refund of a fee which was, in error, charged to the Deposit Account of the undersigned, No. 03-2405.

A "Monthly Statement of Deposit Account" dated December 29, 2006, shows a charge in the amount of \$180.00 which pertains to the above-referenced U.S. Patent Application. The charge

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shows the fee code "2203", which pertains to the presentation of "multiple dependent claims" pursuant to 37 C.F.R. §1.16(j).

It is correct that multiple dependent claims have been presented in connection with the present U.S. Patent Application, and that the fee set forth in 37 C.F.R. §1.16(j) was required for this. This fee, however, was paid when steps were taken to enter the present U.S. Patent Application into its national stage for the United States, on September 7, 2004. Copies of the second page of the "Transmittal Letter" which was filed on September 7, 2004, showing that the fees submitted for entering the U.S. national stage included a fee for the presentation of multiple dependent claims, and a copy of the accompanying check, showing payment of the calculated fees, are attached.

Accordingly, it is submitted that the charge shown on the Monthly Statement of Deposit Account which pertains to the above-referenced application was made in error.

A refund of this charge, in the amount of \$180.00, is therefore respectfully requested. It is further respectfully requested that the Patent Office apply this refund to the Deposit Account of the undersigned, No. 03-2405.

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office (Fax No. 571-273-6500) on: February 1, 2007.

Date: 2/1/07

G. Cohen  
Gary M. Cohen, Esq.

Respectfully submitted,

G. Cohen  
GARY M. COHEN, ESQ.  
Reg. No. 28,834  
Attorney for Applicant  
Tel.: (610) 975-4430

-2-

U.S. APPLICATION NO. (If known, see 37 CFR 1.2)	INTERNATIONAL APPLICATION NO. <b>PCT/US2003/009667</b>	ATTORNEY'S DOCKET NUMBER <b>BENDS2</b>
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21. <input checked="" type="checkbox"/> The following fees are submitted: <b>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):</b> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>	<b>CALCULATIONS PTO USE ONLY</b>
---	----------------------------------

Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)).	<input type="checkbox"/> 20 <input type="checkbox"/> 30	\$ 770.00
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CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total claims	17 - 20 =	0	x 18.00	\$
Independent claims	1 - 3 =	0	x 86.00	\$
<b>MULTIPLE DEPENDENT CLAIM(S) (if applicable)</b>				\$ 290.00
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$ 1,060.00
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$ 530.00
<b>SUBTOTAL =</b>				\$ 530.00
Processing fee of \$130.00 for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492(f)).				<input type="checkbox"/> 20 <input type="checkbox"/> 30
<b>TOTAL NATIONAL FEE =</b>				\$ 530.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$
<b>TOTAL FEES ENCLOSED =</b>				\$ 530.00
				Amount to be refunded: \$
				charged: \$

a. ☒ A check in the amount of \$ 530.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees.  
 A duplicate copy of this sheet is enclosed.

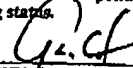
c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any  
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d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card  
 information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR  
 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:  
**COHEN, Gary M., Esq.**  
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 125 Strafford Avenue, Suite 300  
 Wayne, PA 19087-3318  
 United States of America  
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28,834  
 REGISTRATION NUMBER

2426

3-4010  
648

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125 STRAFFORD AVE. SUITE 300  
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FOR PCT/012003/009667/P4: DEND32

G.M.C.

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February 1, 2007

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Page 1 of 5

<b>TO:</b> Mail Stop 16 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	<b>RE:</b> Application No. 10/506,708 Filed: September 7, 2004
<b>TELEPHONE:</b> (571) 272-6500	<b>FACSIMILE:</b> (571) 273-6500

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Adjustment date: 02/15/2007 SFELEKE1  
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